

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

Ac 204, Ac 212, Ac 214.04 and Ac 214.05; Ac 300; Ac 400; and Ac 500

1. Agency Name & Address:

**New Hampshire Board of Accountancy
78 Regional Drive
Concord, NH 03301**

2. RSA Authority: **RSA 541-A:16, I(b); and
RSA 309-B:4, VIII**

3. Federal Authority: _____

4. Type of Action:

Adoption **XXX**

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment **XXX**

5. Short Title: **Ac 200 (8-year provisions); Ac 300 Certification, Registration and Permit Requirements; Ac 400 Continued Status; and Ac 500 Ethics**

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

All amendments in this proposal have, as one purpose, increased conformance with the *Drafting and Procedure Manual*.

Ac 200, to the extent such provisions are included, sets forth and clarifies the provisions relative to complaints and investigations, voluntary license surrender, and includes a new part on how one can obtain an explanation of an adopted rule.

Ac 300 sets forth the education, experience and examination requirements for a CPA certificate. Similarly, it sets the requirements that must be met by firms to receive permits to practice and registrations of their locations within New Hampshire. Additionally, the chapter establishes the status of 'retired' for CPAs and PAs, and sets application fees. The changes are intended to provide greater detail and clarity with respect to how to obtain a certificate, permit, and/or registration. The process for obtaining each has been set out in a more logical, chronological order.

Ac 400 sets forth all the requirements that must be met for: CPAs and PAs to renew their certificates, including requirements for continuing professional education; and for firms to renew their permits and registrations, including requirements for peer review. Additionally, the chapter sets an application fee for the use of the 'inactive' status designation. Further, the chapter describes Board disciplinary sanctions and the criteria to be used in deciding the most appropriate sanction(s) to impose. The changes generally are intended to provide greater detail and clarity with respect to how to renew a certificate, permit, and/or registration. The process for renewing each has been set out in a more logical, chronological order. Further, to conform to statute, the rules will change the date by which a renewal application and proof of earned CPE must be submitted.

Ac 500 sets forth the ethical requirements that bind each person or entity regulated by the Board. The amendments identify and update the specific provisions of the Code of Professional Conduct of the American Institute of Certified Public Accountants that will be enforced and include new provisions with respect to the use of 3rd party service providers.

6. (b) Brief description of the groups affected:

Any person or entity who seeks a certificate, permit, or registration from the Board, as well as those who file complaints against such persons or entities will be affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

| <u>Rule</u> | <u>Statute Implemented</u> |
|-----------------------|---|
| Ac 204.01 | RSA 309-B:11, I, and RSA 309-B:12, I |
| Ac 204.02 | RSA 309-B:11, I |
| Ac 204.03 | RSA 309-B:11, II |
| Ac 204.04 | RSA 309-B:11, II |
| Ac 212.01 | RSA 309-B:10, I; RSA 541-A:31, V(a); and RSA 541-A:38 |
| Ac 214.04 | RSA 541-A:11, VII |
| Ac 214.05 | RSA 541-A:11, VII |
| Ac 301.01 | RSA 541-A:7 and RSA 541-A:8 |
| Ac 301.02 | RSA 309-B:7, I and RSA 541-A:16, I(b) |
| Ac 301.03 – Ac 301.09 | RSA 309-B:7; RSA 541-A:1, XV; and RSA 541-A:16, I(b) |
| Ac 301.10 | RSA 309-B:8, I, and RSA 541-A:16, I(b) |
| Ac 301.11 – Ac 301.13 | RSA 541-A:16, I(b) |
| Ac 301.12 | RSA 309-B:8, VIII |
| Ac 301.13 | RSA 309-B:6 |
| Ac 301.14 | RSA 309-B:4, VIII(h) |
| Ac 301.15 | RSA 309-B:7, II |
| Ac 302.01 | RSA 309-B:4, VIII(c) and RSA 309-B:5, III |
| Ac 302.02 | RSA 309-B:5, III |
| Ac 302.03 | RSA 309-B:5, IX – XI |
| Ac 302.04 | RSA 309-B:5, I and II |
| Ac 302.05 | RSA 309-B:4, VIII(i) and RSA 309-B:5, I |
| Ac 302.06 | RSA 309-B:8, I |
| Ac 303 | RSA 309-B:5, IV – VIII |
| Ac 304 | RSA 309-B:6, I and II |
| Ac 401.01 | RSA 541-A:7 and RSA 541-A:8 |
| Ac 401.02 | RSA 541-A:16, I(b) |
| Ac 401.03(a) and (b) | RSA 309-B:7, II |
| Ac 401.03(c) | RSA 309-B:8, II |
| Ac 401.04 | RSA 541-A:16, I(b) |
| Ac 401.05 – Ac 401.06 | RSA 309-B:7, VII |
| Ac 401.07 | RSA 309-B:4, VIII(i) |
| Ac 402 | RSA 309-B:10 |
| Ac 403 | RSA 309-B:7, VII |
| Ac 404 | RSA 309-B:4, VIII(i) |
| Ac 500 | RSA 309-B:4, VIII(d) |

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Louise O. Romeo**

Title: **Executive Director**

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Concord, NH 03301**

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TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **3 pm July 16, 2007**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **12:30pm to 3 pm on July 16, 2007**

Place: **The Board's Conference Room
78 Regional Drive
Concord, NH**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # **07:093** , dated **6/12/2007**

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not violate Part I, Article 28-a of the New Hampshire Constitution because they do not mandate or assign any program or responsibilities to any political subdivision.